

## 9.0 MODERATE AREA PLAN COMMITMENTS

Achieving the results shown in this Plan requires a commitment to implement the regulatory measures upon which the plan is based. The locally adopted measures included in the analysis are those included in Table A. Chapter 6 provides documentation of the reductions achieved by those measures. The States and the District are also taking action to implement regional measures to reduce ozone transport. Tables 9-1, 9-2, 9-3 and 9-4 provide information on the implementation of each measure by Maryland, Virginia and the District of Columbia.

Commitments for regulations required by the CAAA Section 182 (b) for moderate nonattainment areas are shown in Tables 9-5, 9-6, and 9-7.

### 9.1 Schedules of Adopted Control Measures

**Table 9-1**  
**District of Columbia Schedule of Adopted Control Measures**  
**Washington Nonattainment Area**

No.	Control Measure	Mandate	Regulation Number	Effective Date
	<i>Point Source Controls</i>			
	Non-CTG VOC RACT	Federal Regulation	20 DCMR Sec 715	10/2/98
	State NO <sub>x</sub> RACT Requirements and Regional Transport NO <sub>x</sub> Reductions	Federal Regulation	20 DCMR Sec. 805 20 DCMR Ch. 10 [CAIR Update?]	11/19/93 1/20/2000 [CAIR Update?]
	<i>Area Source Controls</i>			
	Reformulated Surface Coatings	Federal Regulation	63 FR 48849 64 FR 34997 65 FR 7736	9/11/98 6/30/99 2/16/00
	Reformulated Consumer Products	Federal Regulation	63 FR 48848	9/11/98
	Reformulated Industrial Cleaning Solvents	Federal Regulation	20 DCMR Sec 708	10/2/98
	Surface Cleaning/Degreasing for Machinery/Automobile Repair	State Regulation	20 DCMR Sec. 708.9-708.12	5/1/99

No.	Control Measure	Mandate	Regulation Number	Effective Date
	Landfill Regulations	N/A	N/A	N/A
	Seasonal Open Burning Restrictions	State Regulation	20 DCMR Sec. 604	2/1/85
	Stage I Expansion	N/A	N/A	N/A
	Stage II Vapor Recovery Nozzle	Federal Regulation	20 DCMR Sec. 705	2/1/85
	Graphic Arts Controls	State Regulation	20 DCMR Sec. 716	5/1/99
	Auto and Light Duty Truck Coating Operations	Federal Regulation	[#]	8/14/98
	Emissions Controls for Locomotives	Federal Regulation	63 FR 18998	6/15/98
	Mobile Equipment Repair and Refinishing Rule	State Regulation/OTC Model Rule	20 DCMR Sec. 718	4/04
	Portable Fuel Containers Rule: Phase I	State Regulation/OTC Model Rule	20 DCMR Sec. 720	4/04
	Architectural and Industrial Maintenance Coatings Rule	State Regulation/OTC Model Rule	20 DCMR Sec. 722	4/04
	Reformulated Consumer Products Rule: Phase I	State Regulation/OTC Model Rule	20 DCMR Sec. 719	4/04
	Solvent Cleaning Operations Rule	State Regulation/OTC Model Rule	20 DCMR Sec. 721	4/04
	Industrial Adhesives and Sealants Rule	State Regulation/OTC Model Rule	[data]	[date]
	Portable Fuel Containers Rule: Phase II	State Regulation/OTC Model Rule	[data]	[date]
	Reformulated Consumer Products Rule: Phase II	State Regulation/OTC Model Rule	[data]	[date]
	<i>Nonroad Source Controls</i>			

No.	Control Measure	Mandate	Regulation Number	Effective Date
	EPA Non-Road Gasoline Engines Rule	Federal Regulation	40 CFR parts 90 and 91	12/3/96
	EPA Non-Road Diesel Engines Rule	Federal Regulation	40 CFR Part 9 et al.	Model Year 2000-2008 depending on engine size
	EPA Nonroad Spark Ignition Marine Engine Rule	Federal Regulation	40 CFR Parts 89, 90, 91	1998 Model Year
	EPA Large Spark Ignition Engines Rule	Federal Regulation	40 CFR Parts 89, 90, 91, 94, 1048, 1051, 1065, and 1068	11/8/2002
	Reformulated Gasoline (off-road)	Federal Regulation with State Opt-in	[?]	1/1/95
	<i>On-road Measures</i>			
	Phase II Volatility Controls of Refueling Emissions	Federal Regulation with State Opt-in		1992
	Reformulated Gasoline Phase I and II (on-road)	Federal Regulation with State Opt-in	[?]	1/1/95
	High Tech Inspections & Maintenance	Federal Regulation	18 DCMR** Chapters 4, 6, 7, 10, 11; 26 DCMR Chapter 26	4/30/99
	Federal Tier I Vehicle Standards and new Car Evaporative Standards	Federal Regulation	40 CFR part 86	Model Year 1994-1996; Evap Stds. 1996
	National Low Emissions Vehicle Program	Federal Regulation	20 DCMR, Sec 915	1/20/2000

No.	Control Measure	Mandate	Regulation Number	Effective Date
	Tier 2 Motor Vehicle Emission Standards	Federal Regulation	65 FR 6698	2/10/2000
	Heavy-Duty Diesel Engine Rule	Federal Regulation	62 FR 54694	12/22/97

\* This information was obtained from the District Department of the Environment.

\*\*District of Columbia Municipal Regulations.

\*\*\* [For measures not yet adopted, an anticipated schedule for adoption is provided.]

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**Table 9-2**  
**Maryland Schedule of Adopted Control Measures**  
**Washington Nonattainment Area**

<b>No.</b>	<b>Control Measure</b>	<b>Mandate</b>	<b>Regulation Number</b>	<b>Effective Date</b>
	<i>Point Source Controls</i>			
	Non-CTG RACT	Federal Regulation	See Table 9-3	-
	NOx Phase II Controls	Federal Regulation	26.11.27 & .28 26.11.29 & 30	10/18/99
	Expanded Point Source Regulations to 25 tpy	Federal Regulation	26.11.19.01B(4)	5/8/95
	State NOx RACT Requirements	Federal Regulation	26.11.29.08  [CAIR Update]	5/10/93  [CAIR Update]
	<i>Area Source Controls</i>			
	Reformulated Surface Coatings	Federal Regulation	63 FR 48849 64 FR 34997 65 FR 7736	9/11/98 6/30/99 2/16/00
	National Volatile Organic Compound Emission Standards for Consumer Products	Federal Regulation	63 FR 48819	9/11/98
	Reformulated Industrial Cleaning Solvents	Federal Regulation	[Proposed]	[Not determined, Schedule Proposed]
	Surface Cleaning/Degreasing for Machinery/Automobile Repair	State Regulation	26.11.19.09	6/5/95
	Landfill Regulations	Federal Regulation	26.11.19.20	3/9/98
	Seasonal Open Burning Restrictions	State Regulation	26.11.07	5/22/95
	Stage I Expansion	Federal Regulation	26.11.13.04C	4/26/93
	Stage II Vapor Recovery Nozzle	Federal Regulation	26.11.24	2/15/93

No.	Control Measure	Mandate	Regulation Number	Effective Date
	Graphic Arts Controls	State Regulation/CTG	26.11.19.11 & .18	6/5/95 & 11/7/94
	Auto and Light Duty Truck Coating Operations	State Regulation	26.11.19.23	5/22/95
	Emissions Controls for Locomotives	Federal Regulation	63 FR 18998	6/15/98
	Control of VOC Emissions from Vehicle Refinishing	State Regulation	26.11.19.23	5/22/95
	Portable Fuel Containers Rule: Phase I	State Regulation/OTC Model Rule	26.11.13.07	1/21/02
	Architectural and Industrial Maintenance Coatings Rule	State Regulation/OTC Model Rule	26.11.33	3/29/04
	Reformulated Consumer Products Rule: Phase I	State Regulation/OTC Model Rule	26.11.32	8/18/03
	Control of VOC Emissions from Cold and Vapor Degreasing	State Regulation/OTC Model Rule	26.11.19.09	6/5/1995
	Industrial Adhesives and Sealants Rule**	State Regulation/OTC Model Rule	[data]	[date]
	Portable Fuel Containers Rule: Phase II**	State Regulation/OTC Model Rule	[data]	[date]
	Reformulated Consumer Products Rule: Phase II**	State Regulation/OTC Model Rule	[data]	[date]
	<i>Non-road Source Controls</i>			
	EPA Non-Road Gasoline Engines Rule	Federal Regulation	40 CFR parts 90 and 91	12/3/96
	EPA Non-Road Diesel Engines Rule	Federal Regulation	40 CFR Part 9 et al.	Model Year 2000-2008 depending on engine size
	EPA Nonroad Spark Ignition Marine Engine Rule	Federal Regulation	40 CFR Parts 89, 90, 91	1998 Model Year

No.	Control Measure	Mandate	Regulation Number	Effective Date
	EPA Large Spark Ignition Engines Rule	Federal Regulation	40 CFR Parts 89, 90, 91, 94, 1048, 1051, 1065, and 1068	11/8/2002
	Reformulated Gasoline (off-road)	Federal Regulation with State Opt-in	[?]	1/1/95
	<i>On-road Source Controls</i>			
	Phase II Volatility Controls of Refueling Emissions	Federal Regulation with State Opt-in	03.03.03.05	10/26/92
	Reformulated Gasoline Phase I and Phase II (on-road)	Federal Regulation with State Opt-in	[data]	1/1/95 & 1/1/2000
	High Tech Inspections & Maintenance	Federal Regulation	11.14.08	1/2/95
	Federal Tier I Vehicle Standards and new Car Evaporative Standards	Federal Regulation	40 CFR part 86	Model Year 1994-1996; Evap Stds. 1996
	National Low Emissions Vehicle Program	Federal Regulation	26.11.20.04	3/22/99
	Tier 2 Motor Vehicle Emission Standards	Federal Regulation	65 FR 6698	2/10/2000
	Heavy-Duty Diesel Engine Rule	Federal Regulation	63 FR 54694	12/22/97

\*This information was obtained from the Maryland Department of the Environment.

\*\* [For measures not yet adopted, an anticipated schedule for adoption is provided.]

**Table 9-3**  
**Maryland Non-CTG RACT**  
**Washington Nonattainment Area**

**Overall requirement in COMAR 26.11.19.02G effective 4-26-93 (20: Md. R 726)**

The following case-by-case RACT regulations have been adopted to ensure consistency.

<b>RACT Regulation</b>	<b>Regulation Number</b>	<b>Effective Date</b>	<b>MD Register</b>
Definition of Gasoline to include JP-4	26.11.13.01	8-11-97	24:16 Md R. 1161
Plastic Parts Coating	26.11.19.07E	6-5-95	22:11 Md R 823
Printing on Plastic	26.11.19.07F	9-8-97	24:18 Md R 1298
Aerospace Coating Operations	26.11.19.13-1	9-22-97	24:19 Md R 1344
Yeast Manufacturing	26.11.19.17	11-7-94	21:22 Md R 1879
Expandable Polystyrene Operations	26.11.19.19	7-3-95	22:13 Md R 970
Commercial Bakery Ovens	26.11.19.21	7-3-95	22:13 Md R 970
Vinegar Generators	26.11.19.22	8-11-97	24:16 Md R 1161
Leather Coating	26.11.19.24	8-11-97	24:16 Md R 1161
Explosives and Propellant Manufacturing	26.11.19.25	8-11-97	24:16 Md R 1161
Reinforced Plastic Manufacturing	26.11.19.26	8-11-97	24:16 Md R 1162
Marine Vessel Coating Operations	26.11.19.27	10-20-97	24:21 Md R 1453



**Table 9-4**  
**Virginia Schedule of Adopted Control Measures**  
**Washington Nonattainment Area**

<b>No.</b>	<b>Control Measure</b>	<b>Mandate</b>	<b>Regulation Number</b>	<b>Effective Date</b>
	<i>Point Source Controls</i>			
	Non-CTG RACT - VOC	Federal Regulation	9 VAC 5-40-5220	1/1/93
	Expanded Point Source Regulations to 25 tpy - VOC	Federal Regulation	9 VAC 5-40-300	4/1/96
	State NO <sub>x</sub> RACT Requirements	Federal Regulation	9 VAC 5-40-310; 9 VAC 5-40-311	1/1/93  [CAIR Update]
	Regional Transport NO <sub>x</sub> Reduction Controls	Federal Regulation	By permit or compliance agreement	6/25/98  [CAIR Update]
	<i>Area Source Controls</i>			
	Reformulated Surface Coatings	Federal Regulation	63 FR 48849 64 FR 34997 65 FR 7736	9/11/98 6/30/99 2/16/00
	Reformulated Consumer Products	Federal Regulation	62 FR 44672 (CTG)	[Per regulatory calendar]
	Reformulated Industrial Cleaning Solvents	Federal Regulation	[data]	[Per regulatory calendar]
	Surface Cleaning/Degreasing for Machinery/Automobile Repair	State Regulation	9 VAC 5-40-3260 et. seq.	4/1/96
	Landfill Regulations	Federal Regulation	9 VAC 5-40-5800 et. seq.	4/1/96
	Seasonal Open Burning Restrictions	State Regulation	9 VAC 5-40-5630	4/1/96
	Stage I Expansion	Federal Regulation	9 VAC 5-40-5200	1/1/99
	Stage II Vapor Recovery Nozzle	Federal Regulation	9 VAC 5-40-5220	1/1/93
	Graphic Arts Controls	State Regulation/CTG	9 VAC 5-40-7800 et. seq.	4/1/96

No.	Control Measure	Mandate	Regulation Number	Effective Date
	Emissions Controls for Locomotives	Federal Regulation	63 FR 18998	6/15/98
	Auto and Light Duty Truck Coating Operations	State Regulation	9 VAC 5 40-3860 et. seq.	7/1/91
	Mobile Equipment Repair and Refinishing Rule	State Regulation	9 VAC 5-40-6970 et. seq.	3/24/04
	Portable Fuel Containers Rule: Phase I	State Regulation/OTC Model Rule	9 VAC 5-40-5700 et. seq.	3/24/04
	Architectural and Industrial Maintenance Coatings Rule	State Regulation/OTC Model Rule	9 VAC 5-40-7120 et. seq.	3/24/04
	Reformulated Consumer Products Rule: Phase I	State Regulation/OTC Model Rule	9 VAC 5-40-7240 et. seq.	3/9/05
	Solvent Cleaning Operations Rule	State Regulation/OTC Model Rule	9 VAC 5-40-6820 et. seq.	3/24/04
	Industrial Adhesives and Sealants Rule**	State Regulation/OTC Model Rule	In progress	5/1/2009
	Portable Fuel Containers Rule: Phase II**	State Regulation/OTC Model Rule	In progress	5/1/2009
	Reformulated Consumer Products Rule: Phase II**	State Regulation/OTC Model Rule	In progress	5/1/2009
	<i>Non-road Source Controls</i>			
	EPA Non-Road Gasoline Engines Rule	Federal Regulation	40 CFR parts 90 and 91	12/3/96
	EPA Non-Road Diesel Engines Rule	Federal Regulation	40 CFR part 9 et al.	Model Year 2000-2008 depending on engine size
	EPA Nonroad Spark Ignition Marine Engine Rule	Federal Regulation	40 CFR Parts 89, 90, 91	1998 Model Year
	EPA Large Spark Ignition Engines Rule	Federal Regulation	40 CFR Parts 89, 90, 91, 94, 1048,	11/8/2002

No.	Control Measure	Mandate	Regulation Number	Effective Date
			1051, 1065, and 1068	
	Reformulated Gasoline Phase I and Phase II (non-road)	Federal Regulation with State Opt-in	Federal - local opt-in	1/1/95
	<i>On-road Measures</i>			
	Phase II Volatility Controls of Refueling Emissions	Federal Regulation with State Opt-in	2 VAC 5 420-10	7/28/93
	Reformulated Gasoline Phase I and Phase II (on-road)	Federal Regulation with State Opt-in	Federal - local opt-in	1/1/95
	High Tech Inspection & Maintenance	Federal Regulation	9 VAC 5 Chapter 91	4/2/97
	Federal Tier I Vehicle Standards and new Car Evaporative Standards	Federal Regulation	40 CFR part 86	Model Year 1994-1996; Evap Stds. 1996
	National Low Emissions Vehicle Program	Federal Regulation	9 VAC 5-200	4/14/99
	Tier 2 Motor Vehicle Emission Standards	Federal Regulation	65 FR 6698	2/10/2000
	Heavy-Duty Diesel Engine Rule	Federal Regulation	63 FR 54694	12/22/97

\*This information was obtained from the Virginia Department of Environmental Quality.

\*\* [For measures not yet adopted, an anticipated schedule for adoption is provided.]

## 9.2 Stationary Source Threshold Revisions

The Clean Air Act Amendments, Section 182 (d) required the states in severe nonattainment areas to adopt lower permit thresholds for point sources from 50 tons per year to 25 tons per year. Maryland, Virginia and the District of Columbia adopted these measures, listed in Table 9-5, on the schedule shown.

Under the moderate designation for the 8-hour ozone standard, the permit threshold is 50 tons per year VOC and 100 tons per year NOx. Virginia will adopt the thresholds corresponding to the moderate designation. Maryland and the District are committed to maintaining the permit threshold at 25 tons per year for both VOC and NOx.

**Table 9-5  
Schedule of Stationary Source Revisions  
Washington Nonattainment Area**

No.	State	Control Measure	Regulation Number	Effective Date
	Maryland	Control of NOx Emissions for Major Stationary Sources	COMAR 09.08	Adoption: 10/03
	Virginia	Emissions Standards for General Process Operations	9 VAC 5-40-240 of Part II of 9 VAC 5 Ch.40, specifically 9 VAC 5-40-300 (VOCs), 9 VAC 5-40-310 (NOx)	Adopted: 4/7/03 Effective: 6/4/03
	District of Columbia	Major Source Thresholds	20 DCMR Sections 715.2, 715.3, 715.4 (VOC RACT)	8/29/03

### 9.3 New RACT Rules Applicability

When the Washington, DC region was designated as severe nonattainment for ozone, Virginia, Maryland and the District adopted additional reasonably available control technology (RACT) rules for sources subject to the lower major source applicability size threshold of 25 tpy. The requirements for VOCs have been in the regulations for some time due to earlier regulatory actions. The RACT threshold will remain at 25 tpy for Virginia, Maryland and the District. The states are also recertifying RACT for facilities that have the potential to emit more than 50 tpy VOC or 100 tpy NOx.

**Table 9-6  
New RACT Rules Applicability  
Washington Nonattainment Area**

No.	State	Control Measure	Regulation Number	Date
	Virginia	Non-CTG RACT	9 VAC 5-40-240 of Part II of 9 VAC 5 Ch.40, specifically 9 VAC 5-40-300 (VOCs), 9 VAC 5-40-310 (NOx)	Adopted: 4/7/03 Effective: 6/4/03
	Maryland	Control of NOx Emissions	COMAR 9.08	10/03
	District of Columbia	Major Source Thresholds	20 DCMR sections 805.1,805.6,805.7 (NOx RACT)	8/29/03

## 9.4 Revision of New Source Review (NSR) Regulations

When designated as severe nonattainment of the ozone standard, the states were required to lower the thresholds for defining “Major” sources to require controls for facilities with the potential to emit more than 25 tons per year (from 50 tons per year) and to revise New Source Review (NSR) regulations to apply the 1.3:1 offset requirement to major stationary sources of VOC and NO<sub>x</sub>.

The Washington, DC region is designated as moderate nonattainment for the 8-hour ozone standard. Under the current moderate designation, the NSR thresholds are 50 tpy VOC and 100 tpy NO<sub>x</sub>. The 1:15 offset requirement would apply.

The New Source Review permit regulations in Virginia are structured so that the pertinent requirements such as major source threshold and offset ratio are self-implementing depending upon changes to the nonattainment area classification. The NSR threshold will remain at 25 tpy for both VOC and NO<sub>x</sub> for Maryland and the District and the 1.3:1 offset requirement will apply.

**Table 9-7**  
**Schedule for Revision of NSR Regulations**  
**Washington Nonattainment Area**

State	Control Measure	Regulation Number	Effective Date
Maryland	Requirements for Major New Sources and Modifications: Definitions and General Conditions	COMAR 17.01 and COMAR 17. 03	Adoption: 10/03
Virginia	Permits for Major Stationary Sources and Major Modifications Locating in Nonattainment Areas	9 VAC 5-80-2000 of Part II of 9 VAC 5 Chapter 80	Adopted: 6/31/81 Effective: 12/1/04
Virginia	Nonattainment Areas (NSR permit regulations)	9 VAC 5-20-204	Effective: 5/4/2005
District of Columbia	Nonattainment Areas (NSR Permit Regulations)	20 DCMR sections 715.2,715.3,715.4,805.1,805.6,805.7,20 DCMR section 204.4	8/29/03